



**GOVERNMENT OF SIERRA LEONE  
MINISTRY OF ENERGY**

**PUBLIC NOTICE**

**ENERGY SECTOR UTILITY REFORM PROJECT  
ADDITIONAL FINANCING (P154439)  
RESETTLEMENT POLICY FRAMEWORK**

**September, 2015.**

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## **ABBREVIATIONS**

AF	Additional Financing
EDSA	Electricity Distribution and Supply Authority
GoSL	Government of Sierra Leone
MC	Management Contractor
MOE	Ministry of Energy
PAP	Project Affected Person
PIU	Project Implementation Unit
PMU	Project Management Unit
RAP	Resettlement Action Plan
RoW	Right of Way
RPF	Resettlement Policy Framework
SLIDF	Sierra Leone Infrastructure Development Fund
WB	World Bank

## **I. INTRODUCTION AND PROJECT DESCRIPTION**

### *Project description*

The Additional Financing (AF – P155439) to the Energy Sector Utility Reform Project (P120304) will be focused on activities to reduce commercial and technical losses, and the implementation of transparent customer management to improve revenue collection. The proposed AF will support EDSA in the implementation of: (i) a revenue protection program (RPP) to reduce commercial losses, including installment of advanced metering infrastructure (AMI), installation of low voltage feeder bulk meters and creation of a metering control center to optimize the systematic use of the information provided by the metering systems; (ii) maintenance works to improve the reliability and security of the Freetown network, and augmentation of the current evacuation capacity of the network to reduce technical losses and enable delivery of additional power to consumers; and (iii) capacity building and project management support to enhance EDSA’s implementation capacity. Project beneficiaries will be the electricity customers of EDSA, who will benefit from the Project through improved and more reliable electricity service.

The activities of the additional component “New Component 4: Loss Reduction Program” are as follows:

#### Revenue Protection Program (RPP)

The RPP will permanently protect EDSA’s revenue from its large and medium customers, ensuring that all customers in the target segment are systematically metered and billed according to their actual consumption. The targeting of this high value segment of customers, about 5 percent of the total customers, represents about 60 percent of total revenue.

The RPP comprises the installation of advanced metering infrastructure (AMI) at the premises of around 6,000 customers in Freetown with recorded average monthly consumption above 200 kWh, representing approximately 63 percent of total revenue. A metering control center will be established as new organizational units within EDSA’s Customer Service Commercial Department where designated operators will be trained to systematically analyze, process, and monitor consumption with the help of a state-of-the-art meter data management (MDM) software package. The MDM software is designed to monitor, timely detect, and correct any eventual irregularities in recordings. Data provided by the AMI system will be managed by the meter control center.

The new component also includes the incorporation of management information systems (MIS) and a geographical information system to improve efficiency, transparency and accountability in operations in all business areas (network operations, commercial functions, management of corporate resources) and enhance internal and external governance.

The RPP will contribute to reducing EDSA's commercial losses (unmetered consumption), estimated at around 20 percent of total revenue, on a permanent basis, increasing billing and its accuracy, and enabling load profiling of electricity consumers. The AMI based bulk metering system will enable accurate metering and accounting of energy flows in the distribution networks and identify high loss feeders and help accurate targeting of specific loss reduction programs.

#### New EDSA office facilities

This activity will finance the construction of new office facilities to accommodate the Customer Service Commercial Department, the metering control center and office space for EDSA management and key staff functions.

#### Network upgrades

The upgrades will comprise maintenance works that have to be carried out on the existing distribution network to improve the overall reliability and security of the Freetown network and to also augment the current capacity of the network to evacuate power from the primary substations. There is virtually no existing protection equipment and scheme in place, leading to rampant network cascaded fault trips and high losses.

Network upgrades will include (i) extensive network protection assessment and configuration, primary and secondary injection testing, advice on protection equipment, software or consumables needed, and configuration of the settings of substation equipment; (ii) provision and installation of 11kV switchgears and associated DC supply at switching stations to replace dilapidated ones (iii) construction of about 10 km underground circuits to replace multi-damaged existing circuits to strengthen the backbone of supply (iv) the provision of distribution transformers, associated distribution panels, and network components to relieve overloaded secondary substations; and (v) provision and installation of reactive power compensators (shunt capacitors) to improve on the quality of power supply and reduce network losses.

#### Capacity development and project management support

To address the weak implementation capacity of EDSA, a dedicated project manager, procurement specialist, and supervision engineer will be recruited to provide hand-on training to staff dedicated to the project implementation unit (PIU) of EDSA responsible for implementing ESURP activities. The recruited experts shall be responsible for designing and implementing training programs for PIU staff, the preparation of technical specifications, associated bidding documents, procurement process, and the successful implementation of the project activities.

#### *Application of the Resettlement Policy Framework (RPF)*

This RPF will be required for activities, which will finance upgrading of existing office facilities as well as maintenance of existing primary and secondary MV network infrastructure, including aged MV substations and feeder lines in the Greater Freetown area.

Upgrade will require certain existing links to be replaced with appropriately sized cables/overhead lines, and will help reduce technical losses and enhance reliability. LV system upgrade constitutes another suitable area for investments, which will be defined taking into account high consumption areas and new developing environs.

The investments under the new component are not envisaged to result in loss of shelter, loss of assets or access to assets, and/or loss of income sources or means of livelihood with or without physical displacement. However, it is expected that impacts may include: temporary relocation of individuals whose homes or businesses within the Right of Way (RoW).

## **II. OBJECTIVES AND PRINCIPLES OF THE RPF**

### *Objectives*

The RPF has been prepared in compliance with WB's policy on involuntary resettlement (OP 4.12) to mitigate impacts anticipated under the activities of the Project.

The primary aim of this framework is to set out a strategic response to the challenges of involuntary resettlement (physical and economic displacement) resulting from the Project.

In particular, the RPF:

- Provides instructions for undertaking any resettlement activity.
- Provides procedures to follow in a resettlement activity associated with Project investments.
- Sets out the institutional arrangements for undertaking any resettlement activity
- Describes arrangements for resolving conflicts resulting from project activities.

MoE is committed to resettlement designed to improve the local conditions and economic opportunities in the communities to be affected by the various project activities.

### *Principles*

The RPF is guided by the following principles:

- The Project will avoid resettlement where possible.
- Where resettlement is unavoidable the Project will ensure that every affected household or individual is compensated in an expeditious manner and prior to displacement and the start of civil works.
- After relocation, every household or individual is at least well off, if not better than, before the process.

- The Project will ensure effective communication with affected individuals, households and other stakeholders throughout the resettlement/compensation process through a communication strategy.
- The opinion of affected persons and other stakeholders shall be sought through regular public consultations and incorporated into the resettlement planning, decision-making process, and implementation
- The Project will assist with the physical relocation and provide support to resettled individuals and households during the transition period.
- The Project will monitor all aspects of the resettlement program to ensure the RPF meets its objectives.

### **III. LEGAL REVIEW**

#### *Land Rights in Sierra Leone*

Most land in Sierra Leone is considered common property and tenure is based on non-title usufruct and traditional rights. The Paramount Chief is considered the traditional custodian of the land and ultimately grants access to households. Most households have access to family farm plots that are allocated to family members by the family elders (head of household). Households without access to family lands may be allocated land to be used only for food crops. However, the land reverts back to the household with the original traditional rights afterwards. Land ownership for a specific usage such as resettlement of a village, can be considered on condition of an agreed sum being paid to the traditional household owner(s).

#### *Procedures for Land Acquisition in the Western Area (Freetown)*

In the Western Area, the Law of Property Act (1925) forms the basis for land law. In greater Freetown, land shelter development is delivered through (a) the formal market and (b) administrative government arrangements. The formal market is generally not well organized and to obtain land through it can be complex, costly and time consuming. The market confers private tenure in the form of either leasehold or freehold land. Over 70% of the residential properties in Freetown are under private leasehold with terms ranging from a few months to much longer periods.

The informal land market, which serves large numbers of low-income households, does not follow the official institutional processes of registering deeds. Because it is usually found in marginal sites, land in the informal market is comparatively cheaper, and therefore more affordable to the poor, than land in the formal market. Land transactions in this market are also simpler, less costly, and more flexible; attributes, which the poor find attractive. But the insecurity of tenure, which characterizes this type of land market, contributes to the growth of slum areas without access to infrastructure services.

With respect to administrative government arrangements, people acquire land through standard residential and commercial leases of state land or through temporary licenses to occupy state land. Leases of state land are granted to individuals for an initial period of three years for residential purposes with certain conditions e.g. payment of the ground rent and survey charges. More importantly, if a substantial house is erected on the site,

Government commonly sells the freehold interest to the lessee at a price recommended by the Director of Surveys and Lands, and approved by the Minister. Licenses are leases granted to occupy state land temporarily and the term is one year, renewable on the anniversary of the commencement of the lease. These leases are found mostly in depressed or slum areas such as Kroo Bay, Red Pump and in Banana Water. Under Family Tenure a person is entitled to rights in the family through patrilineal inheritance. Responsibility for management of family land is vested in the head of the family assisted by principal members. The family head has the right to allocate unoccupied portions of family land to members of the family.

Under Individual Tenure, families owning large pieces of land would allocate portions of land to individual members of the family to enable them set up their individual households. In some cases nowadays some families after consultation, may sell off land to individuals outside the family.

#### *Constitution of Sierra Leone, 1991*

The Constitution includes provisions to protect the rights of individuals to private property, and also sets principles under which citizens may be deprived of their property in the public interest as described in Section 21. It also makes provision for the prompt payment of adequate compensation and access to the court or other impartial and independent authority for the determination of the land owner's interest or right, and the amount of any compensation to which he/she is entitled and for the purpose of obtaining prompt payment of that compensation.

#### *Local Government Act, 2004*

The Act establishes the Local Council (LC) as the highest political authority in the locality and confers legislative and executive powers to be exercised in accordance with this Act. This Act in its First Schedule under Section 2 establishes the localities, namely: districts, towns and cities. Part II of this schedule also establishes the number of Paramount Chiefs in each LC. The Third Schedule establishes the functions devolved to the LCs. The Fourth and Fifth Schedules establish departments under each LC, and a Valuation List and Rate Books respectively.

#### *National Lands Policy, 2005*

As provided in the Constitution, the 2005 National Land Policy also provides for the compulsory acquisition of land in the public interest. The principles of the land policy include among others: The principle of land as a common national or communal property resource held in trust for the people and which must be used in the long term interest of the people of Sierra Leone. Such a principle only holds where it does not violate existing rights of private ownership. Compensation to be paid for lands acquired through compulsory government acquisition will be fair and adequate and will be determined, among other things, through negotiations that take into consideration government investment in the area. Local Authorities (City and District Councils) may negotiate for land for project development purposes, but all such grants should be properly documented and processed. No interest in or right over any land belonging to an individual or family can be disposed of without consultation with the owner or occupier of the land. No interest in or right over any land belonging to an individual or family can



be compulsorily acquired without payment, in reasonable time, of fair and adequate compensation.

*World Bank's Operation Policy (O.P 4 12) on Involuntary Resettlement*

World Bank Operation Policy OP 4.12 will apply where involuntary resettlement, impacts on livelihoods and assets, acquisition of land or restrictions to natural resources may take place as a result of the project. It includes requirements that:

- a) a) Involuntary resettlement should be avoidable or minimized where feasible, exploring all viable alternative project designs. Where displacement is unavoidable, resettlement plans should be developed. All involuntary resettlement should be conceived and executed as development programs with resettlers provided sufficient investment resources and opportunities to share in project benefits.
- b) Displaced persons should be (I) compensated for their losses at full replacement cost prior to the actual move; (II) assisted with the move and supported during the transition period in the resettlement site; and (III) assisted in their efforts to improve their living standards and livelihoods or at least to restore them to pre-displacement levels or levels prevailing prior to the beginning of project implementation, whichever is higher. Particular attention should be paid to the needs of the poorest groups to be resettled.
- (c) Community participation in planning and implementing resettlement should be encouraged. Appropriate patterns of social organization should be established, and existing social and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible.
- (d) Resettlers should be integrated socially and economically into host communities so that adverse impacts on host communities are minimized. The best way of achieving this integration is for resettlement to be planned in areas benefiting from the project and through consultation with future hosts.
- (e) Land, housing infrastructure, and other compensation should be provided to the adversely affected population, including vulnerable groups, who may have usufruct or customary rights to the land or other resources taken for the project. The absence of legal title to land by such groups should not be a bar to compensation.

In the national context, both statute and customary law co-exist although in the case of conflict, statute takes precedence.

For all Bank-funded projects, including this Additional Finance, where there is a difference between OP 4.12 and national law, OP 4.12 will prevail.

A comparison of the Law in Sierra Leone and World Bank OP 4.12 regarding compensation is presented below in Table 1.

The entitlement matrix designed to assist the process by bridging the gaps between requirements under the Law of Sierra Leone and the World Bank OP 4.12 is presented below as Table 3.

**Table 1: Comparison of the Laws of Sierra Leone and World Bank OP 4.12**

<b>Category of PAPS/Types of Lost Assets</b>	<b>The Laws of Sierra Leone</b>	<b>World Bank OP 4.12</b>
Land owners	Cash compensation based upon market value under statute. Land for land under Customary Law	Recommends land for-land Compensation. Other compensation is at replacement cost.
Land Tenants	Entitled to compensation based upon land under statute	Are entitled to some form of compensation whatever the legal recognition of their occupancy.
Land Users	Not entitled to compensation for land, entitled to compensation for crops under statute. Land for land under customary.	Entitled to compensation for crops, may be entitled to replacement land and income must be restored to pre-project levels at least.
Owners of Non-Permanent Buildings	Cash compensation based on market value under statute.	Entitled to in-kind compensation of cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.
Owners of Permanent Buildings	Cash compensation is based on market value.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.
Crops	Cash compensation based upon rates calculated as the one year net agricultural income.	Market value for lost cash crops.

#### **IV. SOCIO-ECONOMIC ISSUES**

The results of a socio-economic survey undertaken as part of the Power and Water Project in Freetown, are included here, in summary, to provide an indication of the socio-economic status of the larger project area. The methodology included surveys of project affected people (PAPs) and non-PAP households. Questionnaires were administered to asset owners, tenants, and community members. Community meetings and face to face discussions were held. Details of the survey can be found in the RAP of the Power and Water Project and the Energy Access Project both of which are publicly disclosed.

### *Livelihoods and income levels*

A survey indicated that over 38 percent of those interviewed were involved in retail training while over 20 percent were involved in business. Those involved in the trades (masonry, plumbing, etc.) were less than 9 percent. The majority of interviewees had attained secondary and tertiary education (over 70 percent) however the absence of job opportunities has led to a clustering of income earning activities in business and trade.

Average income levels of the communities in the greater Freetown area are low and income generation activities are limited. Average income levels of asset owners per month range from \$52 Dollars which is the lowest to \$230 which is the highest.

Such an income leaves little or no room to maneuver in meeting the needs of households. The single bread winner syndrome among grass root Sierra Leoneans imposes heavy burden on the shoulders of the head of the households or squarely on the women in circumstances where the head is unemployed or without any professional skills to earn a living.

Some sections of the communities are slums situated along the edge of the Congo river and mountain tops from the main improved settlements of the city where business is generally dormant. Much of the population in such areas are self-reliant.

Congo Town is one such area which occupies either side of the Congo River. There are hardly any motor roads or other social amenities to complement for the size of the population of the settlement. Present Asset Owners had obviously taken advantage of the relaxed and inattentive situation of the Government to construct structures and settle down, over a long period to the present. Apparently, these areas are now recognized settlements with political representation at the local Government and parliamentary levels. Today, one could also find community leaders (Traditional Chiefs), Tribal Head Men, and Women leaders.

Although they might be engaged in diverse income generation activities, statistics point to the fact that average income levels per month are considerably low. The amount of an average income of the entire Community of Congo Town among affected Asset Owners records a figure of Le 561,666.67 (Leones) which is equivalent to \$152 U.S. Dollars a month.

The Community of Tengbeh Town is just adjacent to that of Congo Town, as well as Red Pump and Wilberforce all of which share the same situation. It could be seen from the table that their average income levels per month flow along similar lines. Here, Tengbeh Town records an average income of \$170 per month whilst Wilberforce records \$105 and Red Pump \$110. These are communities which have sprung up on and along the rugged low line debris of the Congo River and the sloping Hill sides from Wilberforce. Invariably, these are areas that lack every aspect of development, and quite unattractive to any form of investment as already portrayed by their average income levels

The rest from Hill Cut, Mount Camel, Mount Aureol, Sumaila Town, Leicester Road, Black Hall Road are communities that as situated at the mountain tops over-looking the city.

Although there are equally limited facilities, yet they are slightly better off with motor roads and closer to improved areas of the city where there is more of petty trading or retail trading. There is every likelihood also that more of the asset owners are enrolled in clerical jobs and other professions where they generate higher incomes than tenants.

It could therefore be seen that Sumaila Town which merges into the city by Pademba Road records an average income of \$230 per month which is the highest. Mount Aureol which is only few Kilometres ahead records an average income of \$167 per month, except Leicester Road which presents an average income of \$150 per month.

**Table 2: Average Income Levels of Tenants**

<b>Estimate of Average Income Generation per month (Tenant)</b>			
<b>Area</b>	<b>No.</b>	<b>Ave. Income (Le)</b>	<b>Eq. (\$ US Dollar)</b>
Congo Town	21	204,523.81	55.3
Tengbeh Town	16	256,250.00	69.3
Wilberforce	3	186,666.67	50.4
Red Pump	1	140,000.00	38.0
Hill Cut	2	195,000.00	53.0
Mount Carmel	6	215,000.00	58.1
Sumaila Town	8	227,500.00	61.5
Leicester Road	7	248,571.43	67.2
Mount Aureol	20	272,500.00	74.0
Blackhall Road	10	262,000.00	71.0
<b>Total</b>	<b>94</b>	<b>2,208,011.90</b>	<b>598</b>

As expressed inter-alia, average income levels of tenants are equally as low as those of the Asset Owners. All of them also share the same living condition in the Communities.

In Congo Town for instance, the income flow presents an average amount of \$55 Dollars whilst Tengbeh Town which is next to it records an average income of \$69. Wilberforce records \$50 and Red Pump \$38 of an average income level per month. The reasons for such low earnings have already been noted.

Equally not surprising is the fact that the mountain top communities show higher income levels consequent of their closeness to improved areas where there is more of business or retail trading and where tenants who are serving in different capacities in other professions are settled.

It could therefore be seen that whilst Mount Camel has an average income level of \$58, Sumaila Town shows an income level of \$61.50 Leicester Road, which is only few kilometres ahead, records an average income of \$67.50. The table also shows that Mount Aureol records \$74 with Black Hall Road of an average income of \$71.

However, unlike the asset owners, the total numbers of communities where the 94 tenants dwell records a far lower figure of \$598 of an average income per month.

The disparity of average income levels undoubtedly manifest that asset owners maintain a strong financial stance than tenants. In addition to other financial engagements, asset owners derive a steady income from rent, which apparently subsidizes for other expenses, and perhaps serve as savings.

However, the financial constraints on both parties are obvious. Until something tangible is injected into the Communities to improve average income levels, the standard of living will continue to be poor, and it will be extremely difficult to lift the Social status of the majority of the people in the settlements.

### *Housing*

The majority of respondents indicated that they live in rooms in a compound hut or in a single family house (over 56 percent). Settlement areas are not well-structured or developed with the required or necessary facilities in place. The type of dwellings, range from compound structures with considerable numbers of single rooms to households, to huts/shanty structures in a compound. Some households however reside in private apartments. Many of the structures are constructed with a combination of Cement, Zinc, Mud and Sand. Zinc structures are common of dwellings in Freetown. Roofing of structures are mostly corrugated iron sheets (54.4 percent) and zinc (20.5 percent) and concrete is the dominant material for floors at 75 percent of respondents.

### *Social Infrastructure*

Social infrastructure is limited. Approximately 48 percent of respondents stated that they use a common pit latrine (outside) with only approximately 13 percent indicating that they had access to a flush latrine. Access to water and electricity is limited. Approximately 50 percent of the respondents depend on a public stand pipe, with 18 percent relying on water wells without pumps (13 percent have access to wells with pumps). Water is purchased—approximately 88 percent of respondents reported purchasing water. On electricity, a considerable number of people now have access to electricity supply. 59.1 percent of the people interviewed enjoy electricity however 20.5 percent of the people still depend on the use of Kerosene to provide light. However, charcoal is the predominant fuel for cooking (77 percent of respondents).

*Vulnerability.* Approximately 15 percent of the respondents have some form of disability which would necessitate additional support if they are required to move their belongings.

## **V. RESETTLEMENT ACTION PLAN (RAP) PREPARATION, IMPLEMENTATION, REVIEW AND APPROVAL**

The environmental and social specialist at the SLIDF PMU and relevant staff of the Management Contractor will conduct initial site visits to determine whether or not the civil works will result in impacts envisioned in this RPF.

Where there will be impacts on individuals and/or households, the EDSA's social specialist will lead the preparation of a Resettlement Action Plan (RAP).

In the preparation of RAPs the following will apply:

- The preparation of a census of PAPs which would include the enumeration and registration (including photographing) of PAPs, a socio-economic survey, the notification of PAPs, the physical marking of affected properties, and the setting of a cut-off date.

The cut-off date is the date beyond which any person who occupies land required for project use, will not be eligible for compensation. The cut-off date shall be chosen and approved at a meeting between the EDSA and the Community Representatives (usually the Paramount Chief/Government Administrator). This information shall then be conveyed to the communities through a number of channels including the Local Government structures, and civil society groups where possible, and local media.

- Extensive consultation with Project Affected People (PAPs).

PAPs should be informed about their options and rights pertaining to resettlement. In addition, they should be consulted on, offered choice among, and provided with technically and economically feasible resettlement alternatives where applicable. Consultation guidelines are included in (Annex 2).

- The RAP will include sections detailing the results of the census and the socio-economic survey, resettlement/compensation measures, costs of resettlement/compensation, etc. An outline of a RAP is included in Annex 3.
- Finalized RAPs will be submitted to the World Bank for review and approval. The World Bank will provide clearance for all individual RAPs.
- RAPs cleared by the Bank will be disclosed in-country and in the World Bank's Infoshop.

Through disclosure, the RAPs will be made available in publicly accessible areas such as community spaces in the project area. The Project will communicate the availability of RAPs through the media, posters in the project area, and using relevant stakeholders such as market associations, chiefs, and nongovernmental organizations.

In the implementation of RAPs the following will apply:

- Displacement, destruction of assets, and/or civil works cannot begin until the RAPs have been implemented.

- PAPs will be required to complete documentation stating the impacts they faced under the project and the amount of compensation they received. Additionally, each PAP should be accompanied by a witness who would also sign the compensation receipt documentation.
- All claimants will be furnished with identification cards with code numbers. A spread sheet will be prepared stipulating their names and specific amounts to be received. Every stage of the process will be photographed, and all PAPs will be thumb printed.
- The RAP preparation and implementation process will require that EDSA coordinates with a number of stakeholders including Ministry of Lands, Housing and Country Planning, Municipal structures, chiefs, civil society groups (such as market associations), and relevant NGOs.
- The legal framework for the final implementation of the RAP is provided in the Land Commission's Act, 2005 which provides the principal means by which the property can be legally acquired or conveyed to EDSA.
- The process would require a change of name from the Seller to the Buyer, of the property. The property is conveyed to the Buyer and registered at the Registrar General's Office in the Ministry of Judicial Affairs. The conveyance between the parties is prepared and signed by a legal counsel, by which means, ownership of the property is established according to law.

## **VI. ESTIMATED POPULATION DISPLACEMENT AND CATEGORIES OF AFFECTED PEOPLE**

### *Estimate of PAP Population*

No categories of people are expected to be affected by project at present.

### *Categories of Affected People*

PAPs will be individuals who loose land and other assets, or access to land because of the AF. This would include individuals who have violated the Right of Way prior to the "cut-off date" and are impacted by civil works.

It is anticipated that categories of PAPs will include land users, in particular, business owners and tenants, and households (tenants and owners of structures). It is expected that there will be a fair number of women included as PAPs if any, some of whom will be running micro enterprises. In addition, impacts are expected to be both temporary and permanent.

The following PAPs will be eligible to support under the RPF:

- Those who have formal rights to land (including customary land, traditional and religious rights recognized under the laws of Sierra Leone);

- Those who do not have formal legal rights to land at the time of the census but have claim to such land or assets provided that such claims are recognized under the laws of Sierra Leone or become recognized through process identified in the resettlement plan; and
- Those who have no recognizable legal right or claim to the land they are occupying.

Categories (a) and (b) are to be provided compensation for the land they lose, and other assistance in accordance with the policy. Persons under (c) are to be provided with resettlement assistance in lieu of compensation for land they occupy, and other assistance, as necessary, to achieve the objectives set out in this RPF. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land.

Communities permanently losing land and /or access to assets and or resources under statutory or customary rights will also be eligible for compensation.

*Determination of the Right of Way*

The Right of Way (RoW) is the land that covers the area underneath the distribution line cables, conductors, and towers. Generally, the land and resources in the RoW are classified as State-owned land extending horizontally 15m on both sides from the centre line of the road.

**VII. METHODS OF VALUING AFFECTED ASSETS**

Under the laws of Sierra Leone and for the purposes of this RPF the land assets recognized are state owned land, privately owned land and assets held under customary law.

State owned land would be allocated free except where the land is being used by farmers, settled upon or otherwise being used. Privately owned property would have to be acquired at the market value. For assets held under customary rights, compensation would be paid for the land and other assets and investments including crops, buildings, and other improvements. Compensation rates would be market rates as of the date and time that the replacement is to be provided. The current prices for cash crops would have to be determined as the rates calculated as the one year net agricultural income and would follow the Laws of Sierra Leone and World Bank OP 4.12

**VIII. ORGANIZATION ELEMENTS AND PROCEDURES FOR DELIVERY OF ENTITLEMENT INCLUDING THE RESPONSIBILITIES OF EACH ACTOR.**

EDSA will be responsible for implementing this RPF. EDSA’s social specialist will be in charge of the implementation of the RPF and subsequent RAPs. The specialist will work closely with existing EDSA staff (in the communications division) to undertake local level consultations, socio-economic surveys, etc.



Supervision and monitoring of the RPF implementation will be the responsibility of the Technical Services Manager and the Systems Planning Head of EDSA. Compensation payments will be paid through the EDSA in collaboration with a Resettlement Advisory Group Committee (RAG).

Compensation payments will be monitored by a Witness NGO which will be identified in the early stages of project implementation.

## **IX. GRIEVANCE REDRESS MECHANISMS**

Consequent of the fact that dissatisfactions do occur in resettlement compensation processes, a grievance mechanism will be developed. A grievance redress committee will be set up early in project implementation to resolve all complaints as and how they arise, in the implementation of the RPF.

The grievance committee will be comprised of the following representatives:

- Legal Adviser
- EDSA Representative
- Community Councilor (from City Council)
- Witness NGO – Representative
- PAP Representatives
- Community Elder

Overall, the constitution of the grievance committee will be gender-balanced and representative of the affected community.

PAP representatives will be chosen in the early stages of RAP preparation and will reflect a gender balance. A Chairman and a secretary will be appointed from amongst the committee membership.

All complaints are to be received by the secretary who would inform the chairman. Complaints may be received through a number of means including in-person, through mobile media (phone calls or text messages), through written correspondence, etc.

Meetings of the committee are held once a month, at which all complaints or grievances are addressed.

Functions of the Grievance and Complaints Committee include:

- To receive all complaints from aggrieved persons.
- Look into all complaints and internally resolve them amicably.
- Where the aggrieved person or persons remain dissatisfied, or the matter goes beyond the mandate of the committee, the Legal Adviser will counsel as to which action should be taken.
- Make recommendations to the implementation team and the EDSA, about issues arising from the RAP implementation.
- Stand as a mediating force to manage all RAP conflicts.
- In circumstance where the aggrieved person is still dissatisfied and wishes to seek redress in a Court of Law, he/she could do so with the assistance of a private

- Lawyer at his/her own expense. Where the EDSA is implicated, the Legal Adviser will represent EDSA in the court of law.
- Where an in-house settlement is required, legal representatives of the aggrieved parties, the EDSA and two independent persons suggested by either party will be present to reach an amicable settlement.
  - In situations where the beneficiary dies and the heir apparent is to inherit any benefit, the EDSA staff or officer designated with the help or presence of family members would manage the issue.

## X. BUDGET AND FUNDING ARRANGEMENTS

Early in the preparation of a RAP the costs of implementing the RAP, including consultant costs, staff costs, compensation costs, etc. will be determined.

Overall, the costs for resettlement should include allocations for compensation payments (which will be determined as individual RAPs are being prepared), overhead costs including training for EDSA staff, implementation management, supervision, monitoring, and costs to implement a communication strategy. Where necessary arrangements will be made for funds to be placed in an escrow account where the payments are contested.

NO	ACTIVITY/ITEM	COST	COMMENTS
1	Consultations	US\$ 4,500 per consultation	Number of consultations may range from 3-5 depending on resettlement work
2	Resettlement Advisory Group (RAG)	\$2000 for meetings and organization	Members will be selected from the Project affected persons (PAPs) and they will include local leaders, women, youths and representatives of vulnerable groups from project affected areas / communities.
3	Training of selected staff to improve skills related to implementing resettlement activities	15,000 Lump sum	<b>The following should be considered:</b> <input type="checkbox"/> Number of staff to be trained <input type="checkbox"/> Type of training. <input type="checkbox"/> Duration of training <input type="checkbox"/> Identify institutions to carry out training.
4	Costs for preparing and implementing a communication strategy. (This would include costs for awareness raising and	\$40,000	For developing strategy and rolling out through awareness campaigns etc.

## **X. MONITORING ARRANGEMENTS**

The monitoring arrangement is intended to track the performance of the resettlement process (where applicable). There will be two levels of monitoring:

- a. External Monitoring  
External monitoring will be necessary to follow-up and assess field activity during the course of the survey. Monitoring indicators will be identified by the various committees, the Witness NGO and other parties. Progress reports will be prepared and submitted to EDSA on a quarterly basis.
- b. Internal Monitoring  
EDSA will examine data collected and collated from field activity. Progress reports will be prepared by EDSA and submitted to the World Bank on a monthly basis.

EDSA will also implement the Monitoring Action Plan that was developed through the Energy Access Project.

Table 3: Entitlement Matrix

Category of PAP	Project impact	Compensation policy	Other measures
<ul style="list-style-type: none"> <li>Land owners (with formal title or customary, traditional and religious rights recognized under the laws of Sierra Leone; and those who have claim to land provided that such claims are recognized under the laws of Sierra Leone or become recognized through process identified in the resettlement plan)</li> </ul>	Loss of land (permanent)	Land for land (of equivalent productivity, location advantages, and acceptable to PAPs) or Cash compensation based on market value plus transaction costs	Land clearance
Property owners (structures)	Permanent Loss of structures (residential or business)	Compensation of structures at full replacement value (no depreciation)	Right to salvage materials Transport assistance (cash) Disturbance allowance
Property owners (crops)	Loss of cash crops	Valuation based on reasonable loss (market rates)	
Land users (rental accommodation)	Loss of non-movables	Compensation of non-movables if installation was	Transport assistance

		agreed with landlord.	6 months' rent
Vendors and small business owners without title/encroachers	Loss of structures ( (semi-permanent or temporary structures)	Compensation of structures at full replacement value	Right to salvage materials Transport assistance (cash) Disturbance allowance
Business owners (temporary impacts)	Limitation of income-earning	Valuation of limitation of use (based on daily income)	
Residents (temporary impacts)	Restrictions to assets		Disturbance allowance
Physically disabled PAPs			Additional logistical support, for example, facilitation of physical move.

## **ANNEX 1: SOCIO ECONOMIC SURVEY**

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### *Social Economic Conditions*

For every community or neighborhood in the urban or peri-urban areas concerned, the socio-economic situation should be studied with respect to the specific project activities envisaged for the chosen site that may require resettlement, or compensation.

The following issues with regards to community or individuals to be relocated / compensated should be addressed:

- population/person and infrastructure;
- house (s), other structures, fences
- land use patterns and agriculture/cultivations;
- household assets, economic activities and incomes;
- gender issues (heads of households, particularly female-headed) and
- vulnerable groups (elderly, children, war wounded, amputees)

The socio-economic survey forms the basis of the RAP upon which information on PAP's entitlements and compensation strategies will be determined. The major information should be focusing on the population to be affected, land areas to be affected, housing and infrastructure (if any), sources of increase, loss of access to economic and natural resources and such products, cultural and sacred sites and influx of returnees.

## **ANNEX 2: CONSULTATION PRINCIPLES**

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The Government of Sierra Leone and MoE will hold public consultation with stakeholders including Government Agencies, NGOs, Service providers, local Government officials, PAPs, and community groups on every aspect of the project activities during the entire project cycle.

The stakeholders shall be involved in project inception, design, implementation and monitoring and Evaluations. Public Consultation shall be ongoing during all activities including preparation of socio-economic study, the resettlement plan, environmental impact assessment and during the drafting and reading of the compensation contract. Community consultations will follow these guidelines:

- a. Community consultations will occur voluntarily and without external interference or coercion.
- b. PAPs and other stakeholders will be given sufficient notice prior to the consultations.
- c. PAPs and other stakeholders will be given information on the intent and scope of the project. This should include the possible uses of the land and the possible impacts of the works to be constructed on the land.
- d. PAPs and other stakeholders will be provided information on the project in a manner, form and language that will be appropriate and accessible to the community members.
- e. Sufficient time will be provided to PAPs and other stakeholders to provide input, feedback, and raise concerns during consultations.
- f. PAPs and other stakeholders should contact Mr. Alhaji Timbo, Acting General Manager EDSA on 076 616375 and Mr. Milton Gegbai, Systems Planning Head on 076959117 [mgegбай@yahoo.com](mailto:mgegбай@yahoo.com). They are charged with working with the community and managing grievances.
- g. Participants of PAP and stakeholder consultations should include as many PAPs as possible, in particular those likely to be marginalized such as women and the elderly. Where necessary, targeted consultations to these vulnerable groups should be held.
- h. Community consultations should be gender sensitive. Therefore, gender-specific consultation forums (e.g. women-only discussions) and women-led discussions may be necessary. In addition, consultations that include women should occur at a time in the day when women do not have other family and social obligations.
- i. All consultations should be documented with the following information provided:
  - Names of participants
  - Date and place of consultation
  - Demographic summary of participants (number of women, elderly, youth, community leaders, etc.)
  - Summary of how and by whom the consultation was prepared
  - Issues/questions/concerns raised by the community and responses to the issues/questions/concerns provided
  - Summary of how outstanding issues will be addressed

- Summary of any agreements reached with communities.

Photographic evidence of consultations should be collected and where possible, consultations should be video-taped.



### **ANNEX 3: OUTLINE OF RESETTLEMENT ACTION PLAN**

The following sections should be included in individual RAPs. For further details on the composition of RAPs consult World Bank's OP 4.12 ([www.worldbank.org/safeguards](http://www.worldbank.org/safeguards))

**a. Description of the project.**

*General description of the project and identification of the project area.*

**b. Potential impacts.**

*Identification of*

- (a) the project activities that give rise to resettlement;*
- (b) the zone of impact of such activity;*
- (c) the alternatives considered to avoid or minimize resettlement; and*
- (d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.*

**c. Objectives.**

*The main objectives of the resettlement program.*

**d. Socioeconomic studies.**

*The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including the results of a census survey and other studies.*

**e. Valuation of and compensation for losses.**

*The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.<sup>1</sup>*

**f. Resettlement measures.**

*A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy.*

**g. Site selection, site preparation, and relocation.**

**h. Housing, infrastructure, and social services.**

**i. Environmental protection and management.**

**j. Community participation.**

**k. Grievance procedures.**

**l. Implementation schedule.**

**m. Costs and budget.**

*Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.*